

■ **Main Office**

445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

■ **Mid-Hudson Office**

200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

■ **New York City Office**

99 Madison Avenue
New York, NY 10016
Phone 646.794.5747

December 14, 2022

VIA E-FILE

Hon. Cecelia G. Morris, U.S. Bankruptcy Judge
U.S. Bankruptcy Court
355 Main Street
Poughkeepsie, New York 12601

Re: Naomi K. Goodman
Chapter 13 Case No. 22-22703 (CGM)

NICHOLAS M. WARD-WILLIS

Principal Member
nward-willis@kblaw.com
Also Admitted in CT

Dear Judge Morris:

Our office serves as Village Attorney to the Village of Scarsdale Creditor in the above-referenced Chapter 13 bankruptcy case. I appeared before Your Honor at the December 7, 2022 confirmation hearing. We are in receipt of Ms. Penachio's December 13, 2022 status update letter and the filed proposed Order to Show Cause directing New York State to appear and provide services to Ms. Goodman. The proposed appearance date on the Order to Show Cause is February 22, 2023 and we write to request that the appearance date be set for an earlier date. We note the Court's calendar shows availability at its January 25, 2023 conference although we would request an earlier date than that if available. We also note that if the debtor is required to attend that appearance the hearing should be scheduled for 3:00 p.m. or later if possible.

In addition to Ms. Goodman having not paid property taxes since 2013 which now exceed \$430,000.00 in taxes, interest and penalties, the Village remains concerned about Ms. Goodman's failure to maintain the property over the past decade. Ms. Goodman owns the real property located at 136 Madison Road, Scarsdale, New York which is improved with a single-family home. The home is in a state of extensive disrepair. I have attached three photographs. The first photograph depicts the current condition of the property and one can see a hole in the roof on the lower right hand side of the building. The second photograph taken approximately 18 months ago or more depicts a racoon entering out of the hole in the roof. A family of racoons has been observed living in the roof. The third photographs depicts the rear portion of the house that had collapsed a while ago and which the Village and Village resources repaired and stabilized. The Village is concerned the property is unoccupied and dilapidated condition including being exposed to the elements and vermin, is an attractive nuisance and poses a danger to the general public.

Hon. Cecelia G. Morris, U.S. Bankruptcy Judge
U.S. Bankruptcy Court
December 14, 2022
Page 2

I have attached the Decision and Order dated October 16, 2013 of Scarsdale Village Justice John H. Galloway, III which after a trial, found Ms. Goodman guilty of the enumerated violations of the New York State Property Maintenance Code and directed that the conditions be remedied. Despite the Decision and Order of the Court, Ms. Goodman failed to do so and the house remains, over a decade later, in the same state of disrepair.

It has become apparent that Ms. Goodman and her counsel recognize that she does not have the ability to remedy these serious situations herself despite having over \$4,300,000.00 in assets that under ordinary circumstances, would result in immediate demolition or repair of the house to protect the public and the asset as well as pay the outstanding taxes. The Village supports the issuance of the Order to Show Cause but as direct intervention by a third-party on behalf of Ms. Goodman is required to resolve this matter, the Village requests the Order to Show Cause be made returnable at the earliest possible date and not some two months away on February 22, 2023. Our office is available to further discuss this matter with the Court and the parties and we appreciate the Court's attention to our request. Thank you for your attention.

Respectfully submitted,

/s/ Nicholas M. Ward-Willis

Nicholas M. Ward-Willis

NMW/sj

Encl.

ecc: Anne Penachio, Esq. (counsel for Debtor)
Thomas Frost, Esq. (counsel to Chapter 13 Trustee) (tfrost@ch13kp.com)